

REMARKS**I. Status of the Claims**

Claims 2-5, 9, 10, 12-19, 21-24, 28, 29, 65, 66, 70, and 74-76 are pending. Claims 2, 9, 10, 12-16, 19, 21, 28, 29, 70, and 74 are amended. Claims 1, 20, 26, 27, 32-64, 68, 69, 71-73, and 77-80 are cancelled without prejudice.

The present amendment puts the application in condition for allowance, as discussed below.

II. Telephone Interview

The undersigned attorney thanks the Examiner for discussing the application on April 15, 2009, and thanks the Examiner's Supervisor for discussing the application on April 16, 2009, by telephone.

During the discussions, independent claims 65 and 66 were discussed in light of Katinsky and Robbin. The Examiner called the undersigned attorney on April 21, 2009 and left a voice mail message stating that claims 65 and 66 would be allowed after filing of an Amendment After Final Rejection.

III. Claim Rejections - 35 USC § 103**A. Claims 1-3, 9, 10, 12-15, 19, 61, 62, 65 and 68-74**

Claims 1-3, 9, 10, 12-15, 19, 61, 62, and 68-74 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,452,609 ("Katinsky") in view of U.S. Patent No. 6,731,312 ("Robbin").

Claims 1, 61, 62, 68, 69, and 71-73 are cancelled without prejudice. Claims 2, 9, 10, 12-15, 19, 70, and 74 have been amended to be dependent on claim 65. Claim 21 has been amended to be dependent on claim 66.

As discussed above, claims 65 and 66 are allowable. Claims 2, 9, 10, 12-15, 19, 20, 70, and 74, which are dependent on claim 65 and 66, are, therefore, allowable, as well.

B. Claims 4, 5, and 16-18

Claims 4, 5, and 16-18 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of Robbin and further in view of U.S. Patent No. 6,263,507 ("Ahmad").

Claims 4, 5, and 16-18 are now dependent on claim 65 and are, therefore, allowable because claim 65 is allowable.

C. Claims 20-22, 25-29, 46-48, 52-56, 60, 63, and 64

Claims 20-22, 25-29, 46-48, 52-56, 60, 63, and 64 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of U.S. Patent No. 7,222,163 ("Girouard") and further in view of Robbin Claims 47, 48, and 52-54 have been rejected for similar reasons.

Claims 20, 25-27, 46-48, 52-56, 60, 63, and 64 are cancelled without prejudice. Claim 21 has been amended to be dependent on claim 66. Claim 22 is dependent on claim 21. Since claim 66 is allowable, claims 21 and 22 are allowable.

D. Claims 23, 24, 49, 50, and 57-59

Claims 23, 24, 49, 50, and 57-59 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of Girouard and further in view of Ahmad.

Claims 49, 50, and 57-59 are cancelled without prejudice. Claims 23 and 24 have been amended to be dependent on claim 66, which is allowable as discussed above. Claims 23 and 24 are, therefore, allowable.

E. Claims 32-41, 66, and 75-79

Claims 32-41, 66, and 75-79 have been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Katinsky in view of U.S. Patent No. 6,615,248 (“Smith”) and further in view of Robbin. Claims 32-41 and 77-79 are cancelled without prejudice.

Claims 32-41 and 77-79 are cancelled without prejudice. Claim 66 is allowable. Claim 75 is dependent on claim 65. Claim 76 is dependent on claim 75. Since claim 65 is allowable, claims 75 and 76 are allowable.

F. Claim 65

Claim 65 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Katinsky, Robbin and Manger (“iBasics: iTunes, Part 1 - Encode, Organize, Radio, and Play”).

Claim 65 is allowable, as discussed above.

G. Claim 80

Claim 80 has been rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Robbin in view of Katinsky.


Claim 80 is cancelled without prejudice.

IV. Conclusion

Withdrawal of the rejections and allowance of the application in light of these Amendments and Remarks are respectfully requested.

Respectfully submitted,
Kaye Scholer LLP

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By: 
Brandon N. Sklar
Registration No. 31,667
212-836-8653

Mailing Address:

Kaye Scholer
425 Park Avenue
New York, NY 10022
(212) 836-8000